

6-10-05  
12.3.8 v.9

AGENCY USE ONLY

Agency Reference #:

Date Received:

Circulated by:

(local govt. or agency)

JOINT AQUATIC RESOURCES PERMIT APPLICATION FORM (JARPA)

(for use in Washington State)

PLEASE TYPE OR PRINT IN BLACK INK

COPY



- ☐ Application for a Fish Habitat Enhancement Project per requirements of RCW 77.55.290. You must submit a copy of this completed JARPA application form and the (Fish Habitat Enhancement JARPA Addition) to your local Government Planning Department and Washington Department of Fish & Wildlife Area Habitat Biologist on the same day.
- NOTE: LOCAL GOVERNMENTS - You must submit any comments on these projects to WDFW within 15 working days**

Based on the instructions provided, I am sending copies of this application to the following: (check all that apply)

- ☒ Local Government for shoreline: ☐ Substantial Development ☐ Conditional Use ☐ Variance ☒ Exemption ☐ Revision  
☐ Floodplain Management ☐ Critical Areas Ordinance
- ☒ Washington Department of Fish and Wildlife for HPA (Submit 3 copies to WDFW Region)
- ☐ Washington Department of Ecology for 401 Water Quality Certification (to Regional Office-Federal Permit Unit)
- ☐ Washington Department of Natural Resources for Aquatic Resources Use Authorization Notification
- ☐ Corps of Engineers for: ☐ Section 404 ☐ Section 10 permit
- ☐ Coast Guard for General Bridge Act Permit
- ☐ For Department of Transportation projects only: This project will be designed to meet conditions of the most current Ecology/Department of Transportation Water Quality Implementing Agreement

**SECTION A - Use for all permits covered by this application. Be sure to ALSO complete Section C (Signature Block) for all permit applications.**

1. APPLICANT

Ash Grove Cement Company, attn.: Craig Puljan, Plant Manager

MAILING ADDRESS

3801 East Marginal Way South, Seattle, Washington 98134

WORK PHONE

206-623-5596

E-MAIL ADDRESS

craig.puljan@ashgrove.com

HOME PHONE

FAX #

206-623-5355

If an agent is acting for the applicant during the permit process, complete #2. Be sure agent signs Section C (Signature Block) for all permit applications

2. AUTHORIZED AGENT

Sasha Visconty, Anchor Environmental, L.L.C.

MAILING ADDRESS

1423 Third Ave., Suite 300, Seattle, WA 98101

WORK PHONE

206-287-9130

E-MAIL ADDRESS

svisconty@anchorenv.com

HOME PHONE

FAX #

206-287-9131

3. RELATIONSHIP OF APPLICANT TO PROPERTY: ☒ OWNER ☐ PURCHASER ☐ LESSEE ☐ OTHER:

4. NAME, ADDRESS, AND PHONE NUMBER OF PROPERTY OWNER(S), IF OTHER THAN APPLICANT

5. LOCATION (STREET ADDRESS, INCLUDING CITY, COUNTY AND ZIP CODE, WHERE PROPOSED ACTIVITY EXISTS OR WILL OCCUR)

3801 East Marginal Way South, Seattle, Washington 98134, on the east bank of the Duwamish Waterway.

LOCAL GOVERNMENT WITH JURISDICTION (CITY OR COUNTY) City of Seattle

WATERBODY YOU ARE WORKING IN

Duwamish Waterway

IS THIS WATERBODY ON THE 303(d) LIST? YES ☒ NO ☐

IF YES, WHAT PARAMETER(S)? 1,4-dichlorobenzene, acenaphthene, arsenic, benzo(g,h)perylene, benzoic acid, bis(2-ethylhexyl)phthalate, butylbenzyl phthalate, cadmium, dibenz(a,h)anthracene, dimethyl phthalate, lead, mercury, pH, phenanthrene, phenol, silver, total PCBs, zinc.

[http://www.ecy.wa.gov/programs/wq/links/impaired\\_wtr.htm](http://www.ecy.wa.gov/programs/wq/links/impaired_wtr.htm) WEBSITE FOR 303(d) LIST

TRIBUTARY OF

Elliott Bay, Puget Sound

WRIA #

9

USEPA SF



1263455

1/2 SECTION

SECTION 18

TOWNSHIP 24N

RANGE 4E

GOVERNMENT LOT N/A

SHORELINE DESIGNATION

UI (Urban Industrial)

LATITUDE & LONGITUDE 47°34'6.8", 122°20'44.0"	ZONING DESIGNATION IG1 U/85 (General Industrial 1-with 85-foot height limit)
TAX PARCEL NO 7666700350	DNR STREAM TYPE, IF KNOWN 1

6. DESCRIBE THE CURRENT USE OF THE PROPERTY, AND STRUCTURES EXISTING ON THE PROPERTY. HAVE YOU COMPLETED ANY PORTION OF THE PROPOSED ACTIVITY ON THIS PROPERTY? ☐ YES ☒ NO. FOR ANY PORTION OF THE PROPOSED ACTIVITY ALREADY COMPLETED ON THIS PROPERTY, INDICATE MONTH AND YEAR OF COMPLETION.

Ash Grove Cement is located on the shoreline of the Duwamish Waterway (Figure 1). The property is currently used as a cement manufacturing facility. There is a barge berthing facility at the shoreline that consists of three piers used for unloading of sand, gravel, and limestone required for the production of concrete. A conveyor system located on the middle pier transports these materials to the upland storage and processing facility (Figure 2).

IS THE PROPERTY AGRICULTURAL LAND? ☐ YES ☒ NO

ARE YOU A USDA PROGRAM PARTICIPANT? ☐ YES ☒ NO

7a. DESCRIBE THE PROPOSED WORK THAT NEEDS AQUATIC PERMITS. COMPLETE PLANS AND SPECIFICATIONS SHOULD BE PROVIDED FOR ALL WORK WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE, INCLUDING TYPES OF EQUIPMENT TO BE USED. IF APPLYING FOR A SHORELINE PERMIT, DESCRIBE ALL WORK WITHIN AND BEYOND 200 FEET OF THE ORDINARY HIGH WATER MARK. IF YOU HAVE PROVIDED ATTACHED MATERIALS TO DESCRIBE YOUR PROJECT, YOU STILL MUST SUMMARIZE THE PROPOSED WORK HERE. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

Ash Grove Cement proposes to perform maintenance dredging of the barge unloading berth to retrieve spilled materials (limestone, sand, and gravel) from the bottom and to maintain the required depth for safe barge operation (-25 feet mean lower low water [MLLW]). Dredging is phased and will occur on a biennial basis.

The maintenance dredging plan is as follows:

2003	Initial dredging	600cy	Completed
2005	Maintenance dredge	up to 600 cy	
2007	Maintenance dredge	up to 600 cy	
2009	Maintenance dredge	up to 600 cy	
2011	Maintenance dredge	up to 600 cy	
2013	Maintenance dredge	up to 600 cy	
	Total dredge volume,	up to 3,600 cy	

The 0.07-acre area to be dredged is shown in Figures 2 and 3. Dredging will be limited to recently deposited spilled material. A 1-foot buffer layer of spilled material will be left in place over the native sediment surface, as required by the Dredged Material Management Program (DMMP) agencies (Corps Permit no. 2001-1-00155).

A 4-foot clamshell dredge bucket will be used, mounted on a barge. Dredged material will be dewatered on the barge, then the barge will be towed to another location on the Duwamish Waterway where material will be off-loaded onto trucks. The material will be delivered back to the cement facility and reused. It is necessary to off-load the dredged material off-site because the conveyor at the Ash Grove Cement facility is not designed to handle damp material.

PREPARATION OF DRAWINGS: SEE SAMPLE DRAWINGS AND GUIDANCE FOR COMPLETING THE DRAWINGS. ONE SET OF ORIGINAL OR GOOD QUALITY REPRODUCIBLE DRAWINGS MUST BE ATTACHED. NOTE: APPLICANTS ARE ENCOURAGED TO SUBMIT PHOTOGRAPHS OF THE PROJECT SITE, BUT THESE DO NOT SUBSTITUTE FOR DRAWINGS. THE CORPS OF ENGINEERS AND COAST GUARD REQUIRE DRAWINGS ON 8-1/2 X 11 INCH SHEETS. LARGER DRAWINGS MAY BE REQUIRED BY OTHER AGENCIES.

7b. DESCRIBE THE PURPOSE OF THE PROPOSED WORK AND WHY YOU WANT OR NEED TO PERFORM IT AT THE SITE. PLEASE EXPLAIN ANY SPECIFIC NEEDS THAT HAVE INFLUENCED THE DESIGN.

Maintenance dredging must be performed periodically at the site to maintain the safe depth of -25 feet MLLW required for safe operation of barges at the facility.

7c. DESCRIBE THE POTENTIAL IMPACTS TO CHARACTERISTIC USES OF THE WATER BODY. THESE USES MAY INCLUDE FISH AND AQUATIC LIFE, WATER QUALITY, WATER SUPPLY, RECREATION, AND AESTHETICS. IDENTIFY PROPOSED ACTIONS TO AVOID, MINIMIZE, AND MITIGATE DETRIMENTAL IMPACTS, AND PROVIDE PROPER PROTECTION OF FISH AND AQUATIC LIFE. IDENTIFY WHICH GUIDANCE DOCUMENTS YOU HAVE USED. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

Maintenance dredging will preserve the current industrial use of the site. This use is consistent with other land and water uses in the surrounding area.

The berthing facility to be dredged lies within a Superfund site. To prevent disturbance of native sediments, a 1-foot layer of spilled material will be left in place on the bottom.

Ash Grove Cement has previously received permits for maintenance dredging at its facility. The material to be dredged consists mainly of spilled material. Since dredging in 2003, Ash Grove Cement has invested more than \$165,000 in improvements to its conveyor system to significantly reduce the amount of material spilled during barge loading.

Ash Grove Cement listed measures they will take to reduce spillage in a letter to the Corps dated September 17, 2002. Implementation of these measures is Condition 7E of the Corps dredging permit no. 201-1-00155, dated January 15, 2003. The letter is attached and includes completed improvements, annual monitoring, and future improvements.

The following improvements have been made:

- A large hopper has been installed with a vertical front wall that allows increased barge conveyor extension. The new hopper has also been supplied with skirting to reduce spillage.
- The barge-mounted conveyor has been modified to increase conveyor extension by about 14 inches to reduce spillage.
- New covers have been installed over the dock conveyor to reduce dust emission and spillage from the conveyor during summer months.
- A new pre-cleaner and secondary cleaner system has been installed on the dock conveyor belt. This will significantly reduce carryback spillage from the dock conveyor belt.

Dredging may cause temporary turbidity that has the potential to harm fish and degrade water quality. Turbidity will be minimized using the following BMPs (Corps Permit no. 2001-1-00155):

- Dredging will be performed within the allowable in-water work window of October 1 to February 15, when salmonids are not likely to be present or occur in low numbers.
- To assure that removed material does not exceed approved dredge depth, clamshell control cables shall be marked with highly visible paint to guide the dredge operator. Standard dredge tolerance is maximum one foot overdredge.
- Dredge operator shall regularly check tide boards and make any necessary changes to operation in order to compensate for changes in tidal elevation.
- Dredge operator shall take care not to exceed authorized dredge cut depth or disturb native sediment. Clamshell bucket shall not disturb native sediment.
- With each grab of the clamshell, dredge material shall be completely removed and material placed on the deck barge. Bucket shall make a complete cycle with each pass of the bucket. The clamshell bucket will not be dragged over the bottom to level the cut.
- Deck barge will have fences to contain dredge material. These may be either barge structure or concrete ecology blocks. Hay bales with filter fabric shall be installed to serve as filters wherever fence is not watertight.
- Dredge operator shall lift bucket slowly to facilitate maximum dewatering of the bucket near the water surface to avoid plunging as bucket is raised to deck.
- Due to the granular nature of the dredge material, it is not expected that sediments will adhere to the bucket. However, if the dredge supervisor observes that sediments are adhering to the bucket, the bucket shall be rinsed in a tank after each grab/dump cycle. The tank may be constructed of wood, hay bales or concrete ecology blocks and lined with plastic on the deck of the barge. Sediment residue collected in the rinse tank will be settled out and disposed of along with the dredged material as described below.
- All dredged material, gravel or fine-grained sediments, once removed from the water, shall not be returned to the water.
- Dredged material shall be dewatered on the deck barge prior to transferring to shore, unless otherwise approved by project engineer or his on-site representative.
- Trucks shall load on a tarp area. All spilled material shall be collected by broom or shovel and prevented from re-entering the waterway or storm water flow.
- All dredged material shall be disposed of by re-introduction as raw material in the cement manufacturing process at the Ash Grove Cement plant. This process uses such high temperatures that any extant contaminants would be destroyed.

7c. FOR IN-WATER CONSTRUCTION WORK, WILL YOUR PROJECT BE IN COMPLIANCE WITH THE STATE OF WASHINGTON WATER QUALITY STANDARDS FOR TURBIDITY  
WAC 173 201A-1107 ☒ YES ☐ NO (SEE USEFUL DEFINITIONS AND INSTRUCTIONS)

8. WILL THE PROJECT BE CONSTRUCTED IN STAGES?

☒ YES ☐ NO

PROPOSED STARTING DATE: Initial dredging was done in 2003, conducted under HPA no. ST-F1913-02. Maintenance dredging is proposed to be reinitiated in 2005.

ESTIMATED DURATION OF ACTIVITY: This application covers the 2005 maintenance dredging cycle. Maintenance dredging is expected to take approximately 2 to 3 Days.

9 CHECK IF ANY TEMPORARY OR PERMANENT STRUCTURES WILL BE PLACED.

- ☐ WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH OR TIDAL WATERS, AND/OR  
☐ WATERWARD OF MEAN HIGHER HIGH WATER LINE IN TIDAL WATERS

10 WILL FILL MATERIAL (ROCK, FILL, BULKHEAD, OR OTHER MATERIAL) BE PLACED:

- ☐ WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH WATERS?  
☐ WATERWARD OF THE MEAN HIGHER HIGH WATER FOR TIDAL WATERS?

IF YES, VOLUME (CUBIC YARDS) / AREA (ACRES)

IF YES, VOLUME (CUBIC YARDS) / AREA (ACRES)

11. WILL MATERIAL BE PLACED IN WETLANDS?

☐ YES ☒ NO

IF YES:

A. IMPACTED AREA IN ACRES:

B. HAS A DELINEATION BEEN COMPLETED? IF YES, PLEASE SUBMIT WITH APPLICATION

☐ YES ☐ NO

C. HAS A WETLAND REPORT BEEN PREPARED? IF YES, PLEASE SUBMIT WITH APPLICATION

☐ YES ☐ NO

D. TYPE AND COMPOSITION OF FILL MATERIAL (E.G., SAND, ETC.)

E. MATERIAL SOURCE:

F. LIST ALL SOIL SERIES (TYPE OF SOIL) LOCATED AT THE PROJECT SITE, & INDICATE IF THEY ARE ON THE COUNTY'S LIST OF HYDRIC SOILS. SOILS INFORMATION CAN BE OBTAINED FROM THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

G. WILL PROPOSED ACTIVITY CAUSE FLOODING OR DRAINING OF WETLANDS?

☐ YES ☐ NO

IF YES, IMPACTED AREA IS \_\_\_\_ ACRES OF DRAINED WETLANDS.

NOTE: If your project will impact greater than 1/4 of an acre of wetland, submit a mitigation plan to the Corps and Ecology for approval along with the JARPA form

NOTE: a 401 water quality certification will be required from Ecology in addition to an approved mitigation plan if your project impacts wetlands that are a) greater than 1/4 acre in size, or b) boat wetlands or wetlands adjacent to tidal water. Please submit the JARPA form and mitigation plan to Ecology for an individual 401 certification if a) or b) applies

12. STORMWATER COMPLIANCE FOR NATIONWIDE PERMITS ONLY. N/A

THIS PROJECT IS (OR WILL BE) DESIGNED TO MEET ECOLOGY'S MOST CURRENT STORMWATER MANUAL, OR AN ECOLOGY APPROVED LOCAL STORMWATER MANUAL ☐ YES ☐ NO

IF YES - WHICH MANUAL WILL YOUR PROJECT BE DESIGNED TO MEET.

IF NO - FOR CLEAN WATER ACT SECTION 401 AND 404 PERMITS ONLY - PLEASE SUBMIT TO ECOLOGY FOR APPROVAL. ALONG WITH THIS JARPA APPLICATION, DOCUMENTATION THAT DEMONSTRATES THE STORMWATER RUNOFF FROM YOUR PROJECT OR ACTIVITY WILL COMPLY WITH THE WATER QUALITY STANDARDS, WAC 173.201(A)

13. WILL EXCAVATION OR DREDGING BE REQUIRED IN WATER OR WETLANDS?

☒ YES ☐ NO

IF YES:

A. VOLUME: 600 (CUBIC YARDS) / AREA 0.07 (ACRES)

B. COMPOSITION OF MATERIAL TO BE REMOVED: Limestone, sand, and gravel

C. DISPOSAL SITE FOR EXCAVATED MATERIAL: The excavated material will be dewatered and reused on-site.

D. METHOD OF DREDGING: Clamshell with 4-foot bucket

14. HAS THE STATE ENVIRONMENTAL POLICY ACT (SEPA) BEEN COMPLETED?

☐ YES ☒ NO

SEPA LEAD AGENCY: City of Seattle SEPA DECISION: DNS, MDNS, EIS, ADOPTION, EXEMPTION

DECISION DATE (END OF COMMENT PERIOD): Pending

SUBMIT A COPY OF YOUR SEPA DECISION LETTER TO WDFW AS REQUIRED FOR A COMPLETE APPLICATION

15. LIST OTHER APPLICATIONS, APPROVALS, OR CERTIFICATIONS FROM OTHER FEDERAL, STATE OR LOCAL AGENCIES FOR ANY STRUCTURES, CONSTRUCTION, DISCHARGES, OR OTHER ACTIVITIES DESCRIBED IN THE APPLICATION (I.E., PRELIMINARY PLAT APPROVAL, HEALTH DISTRICT APPROVAL, BUILDING PERMIT, SEPA REVIEW, FEDERAL ENERGY REGULATORY COMMISSION LICENSE (FERC), FOREST PRACTICES APPLICATION, ETC.) ALSO INDICATE WHETHER WORK HAS BEEN COMPLETED AND INDICATE ALL EXISTING WORK ON DRAWINGS.

NOTE: FOR USE WITH CORPS NATIONWIDE PERMITS, IDENTIFY WHETHER YOUR PROJECT HAS OR WILL NEED AN NPDES PERMIT FOR DISCHARGING WASTEWATER AND/OR STORMWATER

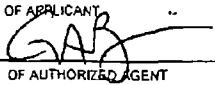
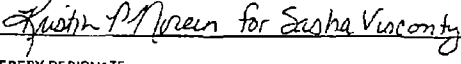

TYPE OF APPROVAL	ISSUING AGENCY	IDENTIFICATION NO	DATE OF APPLICATION	DATE APPROVED	COMPLETED?
ESA Consultation	NMFS and U.S. Fish and Wildlife Service	200100155			
Grading Permit	City of Seattle				

16. HAS ANY AGENCY DENIED APPROVAL FOR THE ACTIVITY YOU'RE APPLYING FOR OR FOR ANY ACTIVITY DIRECTLY RELATED TO THE ACTIVITY DESCRIBED HEREIN? ☐ YES ☒ NO IF YES, EXPLAIN:

**SECTION B - Use for Shoreline and Corps of Engineers permits only:**

17a. TOTAL COST OF PROJECT THIS MEANS THE FAIR MARKET VALUE OF THE PROJECT, INCLUDING MATERIALS, LABOR, MACHINE RENTALS, ETC. <b>\$30,000</b>		
17b. IF A PROJECT OR ANY PORTION OF A PROJECT RECEIVES FUNDING FROM A FEDERAL AGENCY, THAT AGENCY IS RESPONSIBLE FOR ESA CONSULTATION. PLEASE INDICATE IF YOU WILL RECEIVE FEDERAL FUNDS AND WHAT FEDERAL AGENCY IS PROVIDING THOSE FUNDS. SEE INSTRUCTIONS FOR INFORMATION ON ESA. FEDERAL FUNDING <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES PLEASE LIST THE FEDERAL AGENCY _____		
18. LOCAL GOVERNMENT WITH JURISDICTION: <b>City of Seattle</b>		
19. FOR CORPS, COAST GUARD, AND DNR PERMITS, PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ADJOINING PROPERTY OWNERS, LESSEES, ETC... PLEASE NOTE: SHORELINE MANAGEMENT COMPLIANCE MAY REQUIRE ADDITIONAL NOTICE - CONSULT YOUR LOCAL GOVERNMENT		
NAME	ADDRESS	PHONE NUMBER
Port of Seattle	3627 Duwamish Ave. S. (P.O. Box 1209, Seattle 98111)	206-728-3000
International Belt & Rubber	3587 Duwamish Ave. S.	206-622-6034
Port of Seattle	44 S. Nevada Street (P.O. Box 1209, Seattle 98111)	206-728-3040

**SECTION C - This section MUST be completed for any permit covered by this application**

20. APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES. I HEREBY GRANT TO THE AGENCIES TO WHICH THIS APPLICATION IS MADE, THE RIGHT TO ENTER THE ABOVE-DESCRIBED LOCATION TO INSPECT THE PROPOSED, IN-PROGRESS OR COMPLETED WORK. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.	
SIGNATURE OF APPLICANT 	DATE <b>6/12/05</b>
SIGNATURE OF AUTHORIZED AGENT 	DATE <b>6-10-05</b>
I HEREBY DESIGNATE TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT. 	
SIGNATURE OF APPLICANT	DATE <b>6-10-05</b>
SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)	
THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED	

18 U.S.C. §1001 provides that: "Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both."

**COMPLETED BY LOCAL OFFICIAL**

- A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any)
- B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view:
- C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought:

These Agencies are Equal Opportunity and Affirmative Action employers.  
For special accommodation needs, please contact the appropriate agency in the instructions.